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State Water Resources Control Board

Division of Water Rights

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NOTICE OF CANCELLATION AND RESCHEDULING OF STATUS CONFERENCE

**Water Right Applications
30680, 30681 and 30682, by the Cities of
Fairfield, Benicia and Vacaville, respectively,
to Divert Water from Barker Slough**

previously scheduled for

Wednesday, March 5, 2003 p.m. is CANCELLED

AND RESCHEDULED FOR

Wednesday, April 2, 2003 at 1:30 p.m.

**Coastal Hearing Room, Second Floor
The Joe Serna, Jr. Cal/EPA Building
1001 I Street, Sacramento**

SUBJECT OF STATUS CONFERENCE

The Cities of Fairfield, Benicia and Vacaville (Cities) in coordinated Applications 30680, 30681, and 30682, respectively, propose to divert water from Barker Slough in the San Joaquin/Sacramento Delta Estuary, using available capacity of the existing Barker Slough Pumping Plant and the North Bay Aqueduct (NBA) of the State Water Project, for use in the Cities' service areas. On October 2, 2002, the State Water Resources Control Board (SWRCB) postponed the public hearing previously scheduled to commence on October 28, 2002, at the request of the Cities and the State Water Contractors. The deadline for submitting exhibits, which was September 20, 2002, was also postponed. The hearing was postponed in order to provide the Cities and the Department of Water Resources (DWR), which operates the State Water Project, with time to negotiate a resolution to protests against the water right applications by DWR.

On November 5, 2002, the SWRCB held a pre-hearing conference to hear reports from the parties and ask questions regarding the progress in negotiations between the Cities, the Department of Water Resources and the State Water Contractors. The parties provided an update on the negotiations and a schedule for executing water supply contracts between the Cities and the Department of Water Resources. The Cities anticipate withdrawing Applications 30680, 30681, and 30682 after the water supply contracts are signed and all preconditions of the contracts are fulfilled.

On December 3, 2002, the SWRCB issued a notice that it will hold a status conference on March 5, 2003, with the parties to receive an update on the negotiations, the execution of water supply contracts and whether Applications 30680, 30681, and 30682 will be or have been withdrawn. By letter dated February 12, 2003, the Cities advised the SWRCB that they had successfully concluded their negotiations and that approval and execution of the agreement by the parties is imminent. If the agreement is fully executed in accordance with their current timeline, the Cities may withdraw the applications before the end of March 2003. Therefore, the status conference previously set for March 5, 2003 is postponed until April 2, 2003. If the applications are not withdrawn by then, the schedule for further proceedings may be a topic of the status conference. If the applications are withdrawn and no further issues remain, the status conference may be cancelled.

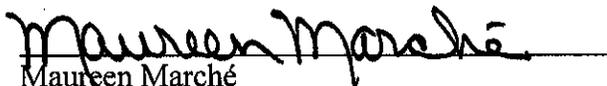
All parties who have previously filed notices of intent to appear in the hearing are requested to attend the status conference.

The status conference will be held Wednesday, April 2, 2003 at 1:30 p.m.

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IF YOU HAVE ANY QUESTIONS

SWRCB Chairperson Arthur G. Baggett, Jr. will be the hearing officer presiding over this proceeding. SWRCB hearing team members will be Barbara Leidigh, Staff Counsel IV, Gita Kapahi, Senior Environmental Scientist, and Kyriacos Kyriacou, Water Resources Control Engineer. *Ex parte* communications with members of the hearing team regarding substantive or controversial procedural matters involved in the hearing are prohibited during the pendency of this proceeding. Communications regarding routine, noncontroversial procedural matters should be directed to Barbara Leidigh at (916) 341-5190.


Maureen Marché
Clerk to the Board

Enclosure

Date: February 28, 2003